

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 93

HOUSE BILL 2166

AN ACT

AMENDING SECTIONS 38-622, 38-623, 38-624, 38-625, 38-626, 38-626.01 AND
38-627, ARIZONA REVISED STATUTES; RELATING TO REIMBURSEMENT FOR EXPENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-622, Arizona Revised Statutes, is amended to
3 read:

4 38-622. Authorization for travel; claims

5 A. When the official duties of a public officer, deputy or employee
6 require him THE PUBLIC OFFICER, DEPUTY OR EMPLOYEE to travel from his THE
7 PUBLIC OFFICER'S, DEPUTY'S OR EMPLOYEE'S designated post of duty, he THE
8 PUBLIC OFFICER, DEPUTY OR EMPLOYEE shall be allowed REIMBURSEMENT OF THE
9 expenses and allowances therefor INCURRED FOR THAT TRAVEL.

10 B. Such THE REIMBURSEMENT OF expenses and allowances shall be
11 authorized by travel orders signed by the head of the department or agency,
12 or by a person to whom such THAT authority has been properly delegated.

13 C. Claims by public officers, deputies, and employees for
14 REIMBURSEMENT OF expenses of FOR transportation, lodging, MEALS and per diem
15 INCIDENTALS AND LONG-TERM subsistence allowances shall be submitted on forms
16 prescribed by and in the manner required by the department of administration.

17 Sec. 2. Section 38-623, Arizona Revised Statutes, is amended to read:

18 38-623. Means of travel; rates

19 A. Travel by air, railroad or motor vehicle is permitted. Railroad
20 sleeping accommodations shall be considered as transportation, and the cost
21 of railroad sleeping accommodations may be allowed each person
22 traveling. Private conveyance may be allowed for travel inside and outside
23 this state by way of the most direct regularly traveled route computed by
24 highway map or odometer reading when traveling by motor vehicle, or if by
25 airplane, by the most direct air mileage route listed by the civil
26 aeronautics board. Expenses for transportation by private conveyances used
27 for travel outside this state shall be reimbursed at the lesser of either the
28 rate set by the department of administration or air coach fare to the same
29 destination. Travel by rented or chartered motor vehicle or airplane shall
30 be paid at the cost of the travel.

31 B. When a private conveyance is used outside this state, a
32 transportation expense shall not be allowed as provided for in subsection A,
33 unless authorized AUTHORITY IS DELEGATED in writing by the governor, or the
34 director of the department of administration if the authority is so delegated
35 by the governor, or in the case of a university employee, by the president
36 of the respective university, if the authority is delegated by the governor,
37 or unless otherwise provided by law.

38 C. When one or more officers, employees or other public agents
39 traveling on official business are transported in the same private
40 conveyance, one mileage only may be allowed.

41 D. The department of administration shall set rates of reimbursement
42 for state travel by motor vehicle and by airplane as provided in this
43 section. In setting the rates the department of administration shall
44 consider amounts established by the United States internal revenue service
45 as acceptable for income tax purposes without further documentation. No

1 increase or decrease from the current rate established by the department of
2 administration shall be effective until approved by the joint legislative
3 budget committee.

4 Sec. 3. Section 38-624, Arizona Revised Statutes, is amended to read:

5 38-624. Lodging expenses; meal and incidental expense
6 reimbursement and long-term subsistence allowance;
7 items covered by reimbursement; amount predetermined
8 by department of administration

9 A. A state employee while traveling on authorized state business shall
10 be reimbursed for actual lodging expenses incurred not to exceed a
11 predetermined amount pursuant to subsection C. All claims for reimbursement
12 shall be accompanied by lodging expense receipts.

13 B. A meal and incidental expense ~~subsistence allowance~~ REIMBURSEMENT,
14 excluding lodging, transportation and communication expenses, shall be paid
15 to any state employee while traveling on authorized state business not to
16 exceed a predetermined amount pursuant to subsection C.

17 C. The director of the department of administration shall establish
18 maximum amounts for reimbursement of FOR lodging and meal and incidental
19 expenses OR LONG-TERM SUBSISTENCE incurred pursuant to subsections A and B,
20 based on federal guidelines for these types of expenses or other reasonable
21 rates as determined by the department. The director may change the maximum
22 amounts from time to time and may establish a separate maximum amount for
23 geographical areas of the United States if the director finds that the
24 reasonable cost varies significantly in one or more areas. Maximum amounts
25 established by the director shall be subject to approval by the joint
26 legislative budget committee.

27 D. The director of the department of administration shall establish
28 in the state accounting manual uniform procedures by which amounts less than
29 the MAXIMUM lodging and meal and incidental expense ~~subsistence allowances~~
30 REIMBURSEMENT AMOUNTS may be claimed by a person who is in travel status for
31 less than a full twenty-four hour period or by a person who does not provide
32 lodging receipts. The director of the department of administration shall also
33 establish policies and procedures for the claiming of a lodging and meal and
34 incidental expense REIMBURSEMENTS AND LONG-TERM subsistence allowance
35 ALLOWANCES by persons temporarily required, for a period of not less than
36 thirty days, to reside away from their primary place of residence. If
37 housing or meals are provided, the allowances REIMBURSEMENTS may be less
38 than, and cannot exceed, the lodging and meal and incidental expense
39 ~~subsistence allowances~~ REIMBURSEMENTS provided for pursuant to subsection C.

40 Sec. 4. Section 38-625, Arizona Revised Statutes, is amended to read:

41 38-625. Receipts for transportation

42 Claims which include transportation by common carrier, or rented
43 automobiles, TRAINS or airplanes shall not be allowed unless accompanied by
44 receipts, but receipts for transportation by means of local streetcars, local
45 busses and PUBLIC TRANSPORTATION INCLUDING taxicabs shall not be required,

1 and such means of local transportation may be allowed and paid for and shall
2 not be considered as regular common carrier transportation.

3 Sec. 5. Section 38-626, Arizona Revised Statutes, is amended to read:

4 38-626. Out-of-state travel; approval; exemptions

5 A. When the official duties or activities of a public officer, deputy
6 or employee of the state or of any department, institution, commission, board
7 or other agency of the state necessitate ~~traveling without the state~~
8 OUT-OF-STATE TRAVEL, the travel order shall be countersigned by the agency
9 head or by the president of the respective university for its university
10 employees and is authority to pay the claims from any funds available for
11 such travel. The agency head or the university president may delegate the
12 authority to countersign out-of-state travel orders. Except as provided by
13 subsection B, the department of administration shall:

14 1. Adopt policies and procedures for the approval of out-of-state
15 travel orders.

16 2. Disseminate these policies and procedures to all agencies.

17 3. Perform compliance reviews on out-of-state travel orders for
18 compliance with the policies and procedures.

19 4. Require that all outside travel orders shall be available for
20 public inspection.

21 B. The Arizona board of regents is responsible for implementing the
22 provisions of subsection A, paragraphs 1, 3 and 4, for the universities under
23 its jurisdiction.

24 C. The requirements of subsection A shall not apply under the
25 following:

26 1. When, by the shortest practical routing, travel through an
27 adjoining state is necessary to reach remote areas of this state.

28 2. When any legislative member, officers and employees of the
29 legislature, the legislative council, joint legislative budget committee
30 members and employees, and other legislative interim committee members are
31 traveling on official business.

32 ~~3. When any public officer, deputy or employee travels on official~~
33 ~~business into states of the United States adjoining this state, provided that~~
34 ~~such out-of-state travel shall be performed entirely within an area not to~~
35 ~~exceed, at any point, one hundred miles from the Arizona border.~~

36 Sec. 6. Section 38-626.01, Arizona Revised Statutes, is amended to
37 read:

38 38-626.01. Authorization for certain out-of-state travel by
39 state employees

40 Notwithstanding the provisions of sections 38-626 and 38-627, the
41 ~~director of the Arizona game and fish department~~ AGENCY HEAD, or a person
42 properly delegated by him THE AGENCY HEAD, ~~or the director of the Arizona~~
43 ~~department of public safety, or a person properly delegated by him,~~ may
44 authorize travel of personnel and state equipment under his THE AGENCY HEAD'S
45 jurisdiction into states of the United States adjoining this state. ,

1 ~~provided that such out-of-state travel shall be performed entirely within an~~
2 ~~area not to exceed, at any point, one hundred miles from the Arizona border.~~

3 Sec. 7. Section 38-627, Arizona Revised Statutes, is amended to read:

4 38-627. Use of state equipment out of state

5 ~~The governor, or the director of the department of administration if~~
6 ~~so authorized by the governor, or in the case of university equipment, The~~
7 ~~AGENCY HEAD OR THE president of the respective A university, if authorized~~
8 ~~by the governor, may authorize the use of state equipment outside of this~~
9 ~~state when he THE AGENCY HEAD OR PRESIDENT ascertains in writing that no~~
10 ~~other means of transportation is available or no service of the type required~~
11 ~~is provided by existing common carriers or the use of state TRANSPORTATION~~
12 ~~equipment outside the state will best serve the interests of this state.~~

APPROVED BY THE GOVERNOR APRIL 11, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2001.

Passed the House February 26, 2001,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

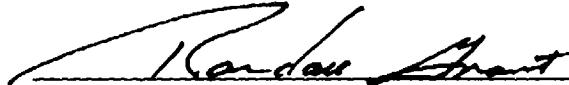

Speaker of the House

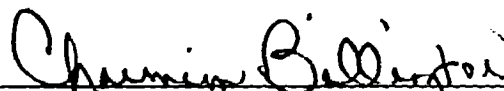

Chief Clerk of the House

Passed the Senate April 4, 2001,

by the following vote: 29 Ayes,

1 Nays, 0 Not Voting


President of the Senate

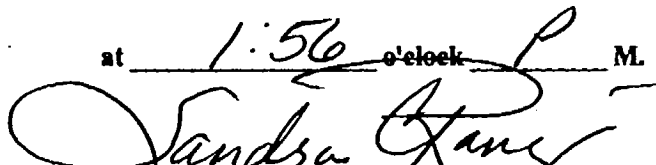

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5 day of April, 2001,

at 1:56 o'clock P M.


Secretary to the Governor

Approved this 11th day of

April, 2001,

at 1:43 o'clock P M.

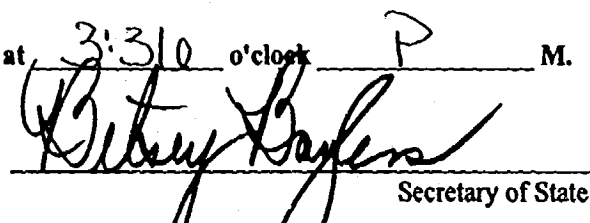

Governor of Arizona

H.B. 2166

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 12 day of April, 2001,

at 3:30 o'clock P M.


Secretary of State